

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 AUSTIN DOWD, et al.,

5 Plaintiffs,

6 v.

7 STEVEN SISOLAK, et al.,

8 Defendants.

Case No. 2:15-cv-136-APG-VCF

**Order Accepting Report and
Recommendation and Dismissing Case**

(Dkt. ## 8, 9, 10, 19, 31, 36)

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10 Pending in this case are:

- 11 (1) a motion to dismiss or quash service filed by defendants Gillespie, Lombardo, Forbus,
12 Hammack, and the Las Vegas Metropolitan Police Department (collectively, the “Metro
13 Defendants”) (Dkt. #8);
14 (2) defendants’ motion to disqualify plaintiffs’ counsel (Dkt. #9);
15 (3) a motion to dismiss filed by defendants Sisolak, Scow, Collings, Weekly, Brown,
16 Giunchigliani, Brager, Wells the Board of County Commissioners and Clark County
17 (collectively, the “Commission Defendants”) (Dkt. #10); and
18 (4) plaintiffs’ motion to amend their complaint (Dkt. #19).

19 On August 12, 2015, Magistrate Judge Ferenbach entered his Order and Report &
20 Recommendation recommending dismissal of plaintiffs’ complaint and denial of plaintiffs’ motion
21 to amend. (Dkt. #31.) Plaintiffs filed an objection to that Recommendation.¹ (Dkt. #36.) I have
22 conducted a de novo review of the issues set forth in the Report & Recommendation, pursuant to
23 Local Rule IB 3-2. Judge Ferenbach’s Report and Recommendation sets forth the proper legal
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27 ¹ Judge Ferenbach denied defendants’ motion to disqualify plaintiffs’ counsel (Dkt. #9). That is a
28 final decision that may be appealed to me under Local Rule IB 3-1. Plaintiffs did not formally
appeal that ruling, but objected to it in their Objection. (Dkt. #36 at 12-13.) I will treat that
portion of the Objection as an appeal under Local Rule IB 3-1.

1 analysis and factual basis for the decision. Rather than repeat that analysis here, I incorporate it by
2 reference. Therefore,

3 IT IS HEREBY ORDERED that plaintiffs' Objection **(Dkt. #36) is overruled** and the
4 Report and Recommendation **(Dkt. #31) is accepted**. The Metro Defendants' motion to dismiss
5 **(Dkt. #8) is granted**, the Commission Defendants' motion to dismiss **(Dkt. #10) is granted**, the
6 defendants' motion to disqualify plaintiffs' counsel **(Dkt. #9) is denied as moot**, and plaintiffs'
7 motion to amend their complaint **(Dkt. #19) is denied**. Accordingly, this **case is dismissed**. The
8 clerk of the court shall enter Judgment accordingly.

9 Dated: October 16, 2015.



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11 ANDREW P. GORDON
12 UNITED STATES DISTRICT JUDGE
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